

or if they will incorporate the results into their emergency response plans, and there will be no way of finding out. The Department of Homeland Security's mission to increase the security of the country will be hindered. I believe that S. 1039 fails to take responsible, basic steps to protect our wastewater infrastructure security from terrorist attack, putting Americans at risk.

I urge my colleagues to oppose this legislation and support my alternative bill, S. 779.

#### MODIFIED VERSION OF S. 849

Mr. MCCAIN. Mr. President, today I am introducing a modified version of S. 849, the Northern Arizona National Forest Land Exchange Act, which I cosponsored last year with Senator KYL. Since introducing that bill, I have met with hundreds of Arizonans and learned first-hand of the significant water issues raised by this proposed exchange of about 50,000 acres of private and Federal land in Northern Arizona. I am introducing this modified version of the legislation with the sincere hope of achieving a compromise agreement that can be enacted prior to adjournment.

Let me be clear. I am not offering amendments to this bill to slow its progress, but rather I want to take this opportunity to address one of the most crucial challenges facing Arizona: sound management of its precious water resources. The persistent drought that is draining our reservoirs makes all of us aware of the limits of our water supplies. I strongly believe that the State of Arizona is at a crucial point where decisions regarding growth and water use must be made with the assurance of long-term availability of water supplies without draining our ground and surface waters dry. I am afraid we are currently on a collision course with the reality of our finite and dwindling water supplies and the future economic and environmental welfare of the State.

In the context of this proposed exchange, it would be irresponsible of the Federal Government to transfer public lands into private hands in an area where water problems currently exist without an understanding of the potential water supply impacts. I have spent considerable time and effort in trying to develop a reasoned, compromise proposal that balances the various Arizona interests and achieves a fair and equitable exchange in the public interest. Therefore, it is my hope that the release of this amended bill with a new title addressing the associated water issues will be carefully considered by all interested parties.

My objective is to encourage the formation of a partnership between Federal, State, and local stakeholders in order to facilitate sound, science-based water resource planning and management in the Verde River Basin. In my view, the development of such a col-

laborative decision-making body, modeled on the Upper San Pedro Partnership, would be a vital step in assuring the wise use of the finite water resources within the Verde River Basin.

An earlier draft proposal of the partnership title to this bill was widely circulated in Northern Arizona and generated productive discussion and comment. This valuable input is reflected in the measure I am offering today. It encourages the creation of a multi-stakeholder partnership and clarifies the Federal role in providing scientific, technical, and financial assistance to State and local water resource planning and management efforts. With this important support, I expect that State and local interests that share ground and surface water resources will come together to advance protection and wise use of finite water supplies.

I became fully aware of the crucial need for this Federal assistance through public meetings I held last December in Flagstaff and Camp Verde. More than 600 people gathered in Camp Verde to express their strongly held views of the proposed land exchange. The primary concern voiced was whether or not adequate water supplies are available in the area to provide for future development given that residents are already experiencing water supply problems. The U.S. Geological Survey presented information about its ongoing studies and what is not known about the hydrologic systems or water use impacts within the Verde Basin. The fact is that we simply do not have sufficient information to determine the quantity of water supply available over the long-term without adverse effects.

I believe that it would be irresponsible of the Federal Government to transfer lands into private hands in an area where water problems already exist without an understanding of the potential impacts. That is why I am interested in expediting essential water studies in the Verde Basin to provide a scientific basis for sound decision-making by the partnership. In the short-term, I envision that the first task of the partnership would be to make a recommendation, based on a water budget analysis for the Verde Valley, regarding available water supply for future use on the Federal parcel in Camp Verde. Long-term water resource planning and management efforts within the region could also be developed through the partnership and informed by the ongoing water studies and analyses.

I would like to briefly explain some of the provisions in this modified bill.

First, under Title I of the bill, it would allow the cities of Flagstaff, Williams, and Camp Verde, as well as several local camps, the option to purchase lands directly from the Forest Service if they are unable to reach an agreement to purchase such lands from the Yavapai Ranch. These communities and camps are very interested in exploring the economic opportunities

that would be afforded through the acquisition of certain lands currently held by the Federal Government. The bill also would eliminate the 820-acre Federal parcel in Clarkdale from exchange, at the request of that community.

Next, the bill establishes a new Title II, which is designed to establish a framework to begin addressing the very serious water resource and management issues in Northern Arizona. The purpose of this title is to authorize assistance for a collaborative and science-based water resource planning and management partnership for the Verde River Basin, consisting of members that represent Federal, State, and local agencies, along with economic, environmental, and community water interests. The bill language makes it clear that this is not a Federal intrusion into State and local jurisdiction and responsibility for water management and control.

Under Title II, Federal assistance would be authorized upon the formation of a Verde River Basin Partnership. The measure would authorize the Secretary of Agriculture to assist the Arizona Department of Water Resources and the Yavapai Water Advisory Council by participating in the formation of the partnership. While the partnership would not be a Federal entity, it would be eligible for Federal assistance through the Secretary of Agriculture and the Secretary of the Interior.

The amended bill directs the partnership to develop a plan for conducting water resource studies within the Verde River Basin. The plan would include; a list of specific studies and analyses that are needed to support the planning and management objectives of the partnership, identify any ongoing or completed water resource or riparian studies that are relevant to water resource planning and management for the Verde River Basin, provide study timeliness and cost estimates, and designate as a study priority the compilation of a water budget analysis for the Verde Valley.

To assist the partnership, the bill directs the U.S. Geological Survey, in cooperation with ADWR, to prepare and submit a report to the Partnership that provides a water budget analysis of the portion of the Verde River Basin within the Verde Valley. The partnership would then use the information, along with any other relevant information, and submit a preliminary report with its findings and recommendations regarding long-term available water supply within the Verde Valley to the Secretary, the Governor of Arizona, and representatives of the Verde Valley communities. Following this preliminary report, the partnership is expected to continue its work and submit a comprehensive report to the Secretary and the Governor of Arizona within 4 years. The comprehensive report would include the results of any water resource assessments conducted

under this in the Verde River Basin. It also would identify: any areas in the Verde River Basin that are determined to have groundwater deficits or other current or potential water supply problems; long-term water supply management options for communities and water resources within the basin; and water resource analyses and monitoring needed to support the implementation of management options.

Finally, the bill directs the Secretary of Interior and the Secretary of Agriculture to enter into a memorandum of understanding authorizing the U.S. Geological Survey to access Forest Service land, including stream gauges, weather stations, wells, or other points of data collection on the Forest Service land, to carry out necessary water studies.

I want to do my part in moving the proposed land exchange forward, and it must be done in a manner that is fair to the current residents of Arizona and the Federal taxpayers. In order to do so, it simply must address the affected area's water supply. I remain hopeful that all the interested parties who strongly support the proposed exchange will carefully consider the proposal that I am introducing today.

#### DEPARTMENT OF JUSTICE APPROPRIATIONS

Mr. LEAHY. Mr. President, I am pleased to introduce with Senator HATCH the Department of Justice Appropriations Authorization Act, Fiscal Years 2005 through 2007. I thank Senator HATCH, the chairman of the Judiciary Committee, for his hard work and support of this legislation.

In the 107th Congress, the Senate and the House of Representatives properly authorized spending for the entire Department of Justice, (DOJ or the Department,) for the first time since 1979. Congress extended that authorization in 1980 and 1981. Until 2002 Congress had not passed nor had the President signed an authorization bill for the Department. In fact, there were a number of years where Congress failed to consider any Department authorization bill. This 23-year failure to properly reauthorize the Department forced the appropriations committees in both houses to reauthorize and appropriate money.

We ceded the authorization power to the appropriators for too long, but in the 107th Congress Senator HATCH and I joined forces with House Judiciary Chairman SENSENBRENNER and ranking member CONYERS to create and pass bipartisan legislation that reaffirmed the authorizing authority and responsibility of the House and Senate Judiciary Committees—the 21st Century Department of Justice Appropriations Authorization Act, Public Law 107-273. A new era of oversight began with that new charter for the Justice Department, with the Senate and House Judiciary Committees taking active new roles in setting the priorities and mon-

itoring the operations of the Department of Justice, the FBI and other law enforcement agencies, and that bill helped our oversight duties in many ways. And, as we have learned in the past 3 years, the fight against terrorism makes constructive oversight more important than ever before.

Already this Congress, House Judiciary Committee Chairman SENSENBRENNER and ranking member CONYERS have authored and shepherded through the House of Representatives a new Department of Justice Appropriations Authorization Act for fiscal years 2004 through 2006, H.R. 3036. I commend both Chairman SENSENBRENNER and ranking member CONYERS for working in a bipartisan manner to pass that legislation in the House of Representatives.

The Department of Justice Appropriations Authorization Act, fiscal years 2005 through 2007 is a comprehensive authorization of the Department based on H.R. 3036 as passed by the House of Representatives on March 30, 2004. Our bipartisan legislation authorizes appropriations for the Department for fiscal years 2005 through 2007, provide permanent enabling authorities which will allow the Department to efficiently carry out its mission, clarify and harmonize existing statutory authority, and repeal obsolete statutory authorities. The bill also establishes certain reporting requirements and other mechanisms intended to better enable the Congress and the Department to oversee the operations of the Department. Finally, our bill incorporates numerous other pieces of legislation—on such issues as preventing and recovering missing children, cigarette trafficking, intellectual property, going after terrorists who commit violent acts against American citizens overseas, among others—currently pending before Congress that enjoy strong bipartisan support.

I will now highlight a number of the provisions that make up this authorization bill.

Title I of our bill authorizes appropriations for the Department of Justice for each of fiscal years 2005 through 2007. With minor exceptions, these authorizations generally reflect the President's budget request.

Title II makes numerous improvements and upgrades to the Department's grant programs that assist law enforcement and criminal justice agencies; build community capacity to prevent, reduce and control crime; assist victims of crime; and prevent crime.

We decided to combine the current Byrne formula grant, Byrne discretionary grant and Local Law Enforcement Block Grant, LLEBG, programs into one Edward Byrne Memorial Justice Assistance Grant Program with an authorization of \$1.075 billion and a list of 35 uses—a combination of the traditional Byrne and LLEBG grants regulations—for which these grants may be used.

I am a longtime supporter of the Edward Byrne Memorial State and Local

Law Enforcement Assistance Program and the LLEBG, both of which have been continuously targeted for elimination by the Bush administration. LLEBG, which received \$225 million this year, provide local governments with the means to underwrite projects that reduce crime and improve public safety, and allow communities to craft their own responses to local crime and drug problems. The Edward Byrne Memorial State and Local Law Enforcement Assistance Program, which Congress funded at \$659,117,000 in FY 2004, makes grants to States to improve the functioning of the criminal justice system, with emphasis on violent crimes and serious offenders, and to enforce State and local drug laws. As a senator from a rural State that relies on LLEBG and Byrne grants to combat crime, I have been concerned with the President's proposals for funding and program eliminations of these well-established grant programs. Our legislation makes it clear that the same authorized funding levels and uses will be available under the new consolidated grant program as under the previous two grant programs.

I am pleased that Title II also extends the authorization of appropriations for the Regional Information Sharing System, RISS, at \$100 million for each of fiscal years 2005 through 2007. RISS serves as an invaluable tool to Federal, State, and local law enforcement agencies by providing much-needed criminal intelligence and investigative support services. It has built a reputation as one of the most effective and efficient means developed to combat multi-jurisdictional criminal activity, such as narcotics trafficking and gang activity. Without RISS, most law enforcement officers would not have access to newly developed crime-fighting technologies and would be hindered in their intelligence-gathering efforts.

By providing State and local law enforcement agencies with rapid access to its secure, state-of-the-art, nationwide information sharing system, RISS gives law enforcement officers the resources they need to identify and apprehend potential terrorists before they strike. With this in mind, I authored Title VII of the USA PATRIOT Act, Public Law 107-56, to increase information sharing for critical infrastructure protection. The law expanded RISS to facilitate information sharing among Federal, State, and local law enforcement agencies to investigate and prosecute terrorist conspiracies and activities, and increased authorized funding to \$100 million.

Proper funding provides RISS with the means to maintain six regionally-based information sharing centers that allow for information and intelligence services to be disseminated nationwide addressing major, multijurisdictional crimes. In addition, as the September 11 terrorist attacks and calls for increased vigilance against future attacks demonstrated, RISS requires additional support to intensify antiterrorism measures.